

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INCREASE IN THE MINIMUM WAGE;  
5 AMENDING SECTION 39-3-409, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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9 **Section 1.** Section 39-3-409, MCA, is amended to read:

10 **"39-3-409. Adoption of minimum wage rates -- exception.** (1) The minimum wage, except as  
11 provided in subsection (3), must be the greater of either:

12 (a) the minimum hourly wage rate as provided under the federal Fair Labor Standards Act of 1938 (29  
13 U.S.C. 206(a)(1)), excluding the value of tips received by the employee and the special provisions for a training  
14 wage; or

15 (b) \$6.15 an hour, excluding the value of tips received by the employee and the special provisions for  
16 a training wage.

17 (2) (a) The minimum wage is subject to a cost-of-living adjustment, as provided in subsection (2)(b).

18 (b) ~~No~~ Except as provided in subsection (4), no later than September 30 of each year, an adjustment  
19 of the wage amount specified in subsection (1) must be made based upon the increase, if any, from August of  
20 the preceding year to August of the year in which the calculation is made in the consumer price index, U.S. city  
21 average, all urban consumers, for all items, as published by the bureau of labor statistics of the United States  
22 department of labor.

23 (c) The wage amount established under this subsection (2):

24 (i) must be rounded to the nearest 5 cents; and

25 (ii) becomes effective as the new minimum wage, replacing the dollar figure specified in subsection (1),  
26 on January 1 of the following year.

27 (3) The minimum wage rate for a business whose annual gross sales are \$110,000 or less is \$4 an  
28 hour.

1           (4) For wage adjustments provided for in subsection (2) that take effect from January 1, 2022, through  
2 January 1, 2025, if the calculation results in an increase of less than \$1, the adjustment is \$1."

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4           NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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